

25 September 1964

MEMORANDUM FOR THE RECORD

SUBJECT: Blackmail Legislation

1. I called Mrs. Jacqueline Williams, Department of Justice, to discuss legislation which that Department may incorporate in its legislative program for the 89th Congress. The legislation discussed was a possible amendment to Title 18, U.S.C., providing for the proscription of threats, by current and former officers and employees of the Federal Government, to disclose information acquired in the course of employment. Mrs. Williams advised that such legislation has been under consideration by the Department of Justice for several years, and that the Department must come to a firm position within the next few months.

2. We had previously informed the Department of Justice of our interest in this kind of legislation, and of two specific cases involving disgruntled Agency employees wherein such legislation would have been of great deterrent value.

3. Mrs. Williams asked three questions:

- a. Would such legislation be of value to the Agency.
- b. If so, would the Agency take the initiative and include this in its legislative program.
- c. In our opinion, would this bill as now drafted require the disclosure of classified information to secure convictions.

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4. Pursuant to guidelines given me by Mr. Warner, and after reading our file, I responded along the following lines:

- a. Such legislation would be of value to this Agency.
- b. This Agency would prefer that such legislation be handled by the Department of Justice since it does pertain to criminal matters, and since this Agency is only one of a number of intelligence agencies which would profit by its enactment. Mrs. Williams stated that the Department might have a difficult time proving the necessity for such legislation since it was only aware of two cases where such a law would have been of value, and both cases involved Agency personnel. She stated that the FBI's position is that it has no objection to such legislation and she is not sure that the Bureau is actively interested. I pointed out that the FBI had a problem in point about two years ago concerning a former special agent named [redacted] and asked her if the Department of Justice would contact the other components of the intelligence community and specifically ask them for their past experience in such matters. Mrs. Williams stated that she would do this and inform us of the results.
- c. I advised Mrs. Williams that I would research the problem of the extent to which classified information would have to be disclosed in a trial to secure conviction. She informed me that the Criminal Division still had doubts in this regard.

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Office of Legislative Counsel

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